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LICENSE APPLICATION DISAPPROVED  
PD 616-121A (Rev 6-01)

LICENSE DIVISION  
ADMINISTRATIVE APPEAL UNIT  
1 POLICE PLAZA - Room 110  
New York, NY 10038  
1-646 610 5873

DATE:

2017

DISAPPROVAL#

### NOTICE OF DISAPPROVAL

Dear Applicant:

Your application for a Handgun License has been DISAPPROVED for the following reasons:

#### History of Arrest

#### Moving Violation

- Passed Red Light
- Cell Phone
- Operating w/o Insurance

#### C Summons

- Key In Ignition
- Consumption of Alcohol
- Knife, any in Public View

Based on your three (3) arrests, Moving Violations, C-Summons, your most recent arrest on [REDACTED] and your rifle/shotgun permit suspension all cast grave doubt on your moral character, judgement and fitness to possess a Carry Business License, Title 38 Rules of the City of New York § 5-10 (a), (h), (m) and (n) were taken into consideration regarding the eligibility requirements in making this determination for DISAPPROVAL of your application.

To appeal this decision, the applicant must submit a notarized statement setting forth the grounds for the appeal. The notarized statement shall contain the following language and be signed by the applicant in the presence of a Notary Public:

"Under penalty of perjury deponent being duly sworn, says that he/she is familiar with all of the statements contained herein and that each of these statements are true, and no pertinent facts have been omitted."

Appeals that are not notarized, or appeals submitted by individuals or business entities other than the applicant (or applicant's attorney) will not be accepted. Appeals must be forwarded to the Director of the License Division within (30) days of the date of this notice. Mark Envelope - ATTENTION: APPEAL UNIT

By direction of

Michael Barreto

Commanding Officer



POLICE DEPARTMENT  
License Division  
One Police Plaza, Room 110A  
New York, New York 10038

NOTICE OF DISAPPROVAL AFTER APPEAL

[REDACTED] 2017

Dear [REDACTED]

I am writing in response to your appeal of the disapproval of your Carry Business handgun license application. Based upon my review of the entire record, the appeal is denied.

Section 400.00 of the New York State Penal Law (PL) states that "no license shall be issued except for an applicant... (b) of good moral character...and; (n) concerning whom no good cause exists for the denial of the license." Title 38 of the Rules of The City of New York (RCNY) section 5-10, provides a list of what shall be considered in assessing moral character and whether good cause exists for a denial.

Pursuant to 38 RCNY 5-10(a), an applicant's arrest record will be taken into account when evaluating an applicant's requisite moral character.

[REDACTED]

Although this arrest is sealed, the New York State Criminal Procedure Law (CPL) section 160 makes sealed arrests available to any agency responsible for issuing firearms licenses.

[REDACTED]

Additionally, you have three prior arrests, which are further grounds for denial. [REDACTED]

[REDACTED]. An ACD is an adjournment in furtherance of justice with a view towards dismissal, and is not a determination on the merits in favor of the defendant and does not constitute a factual finding of innocence or a lack of culpability. You were arrested [REDACTED]

[REDACTED] You received an ACD on this arrest.

[REDACTED] You received an ACD on this arrest.

Pursuant to 38 RCNY 5-10(m), an applicant's failure to provide information as to a recent arrest, is a factor consider when evaluation a license application. [REDACTED]

[REDACTED]

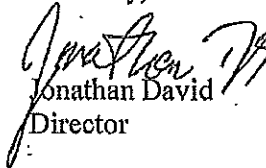
Pursuant to 38 RCNY 5-10(h), an applicant's poor driving history are factors that may contribute to a determination to deny a gun license application. Your driving history raises further concerns regarding your lack of ability or desire to follow the law. In 2010, you received three violations in a three month period [REDACTED] you received a violation for passing a red light. [REDACTED] you received two violations – for operating without a driver license and for driving while on a cell phone. As such, your negative driving history is another ground to deny your license application.

38 RCNY 5-10(n) states that any good cause is sufficient to deny a handgun license. You received three criminal court summonses [REDACTED] you received a summons for having a key in the ignition. [REDACTED] you received a summons for consumption of alcohol. [REDACTED] you received a summons for having a knife in public view. These three summonses are another ground for denial of your license.

In summation, your continued and consistent inability to abide by the law, along with the factors noted above, are sufficient grounds to deny your application for a Carry Business License.

You may appeal this determination by commencing an Article 78 proceeding within four months of the date of this letter.

Sincerely,

  
Jonathan David  
Director